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COUNCIL OF
THE EUROPEAN UNION

Brussels, 6 May 1999 (07.05)
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SEMDOC
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"A" ITEM NOTE

from :	Secretariat
to :	Council
Nos prev. docs:	7368/99 PESC 81 COSEC 17 7367/99 PESC 80 COSEC 16 7569/99 PESC 96 COSEC 22
Subject :	**Arrangements for enhanced cooperation between the European Union and the Western European Union under the Protocol on Article 17**

1. The Protocol on Article 17 of the Treaty on European Union states that "the European Union shall draw up, together with the Western European Union, arrangements for enhanced cooperation between them, within one year from the entry into force of the Treaty of Amsterdam".

   The Declaration of the Western European Union, adopted by the WEU Council of Ministers on 22 July 1997, which was noted by the Amsterdam Conference, contains a sample list of measures which could be developed to strengthen cooperation between the two organisations.

2. At its meeting in Vienna on 11 and 12 December 1998, the European Council requested the Council, in agreement with the WEU, to continue drawing up arrangements under the Protocol on Article 17 so that such arrangements could be applied as soon as the Treaty enters into force.

3. In accordance with those conclusions, the successive versions of a draft were examined in parallel within the Union and the WEU and jointly within an informal framework.

4. At its meeting on 26 April 1999 the Council agreed in principle to the Decision approving the arrangements as well as to the text of the arrangements (Annexes A and B to 7367/1/99 REV 1 PESC 80 COSEC 16) and agreed that, following legal/linguistic finalisation, both texts would be finally adopted at the first Council meeting after entry into force of the Amsterdam Treaty.

5 The WEU Permanent Council recorded its agreement to the text of the arrangements by means of the silent procedure completed on 23 April 1999.

6. The Permanent Representatives Committee is asked to suggest that the Council:

- finally adopt the Decision and the arrangements as they stand following finalisation by the legal/linguistic experts in 7480/99 PESC 88 COSEC 20;

- agree to enter in the Council minutes the statements given in the Annex to this note;

- order publication in the Official Journal of the Council Decision and the arrangements.

STATEMENTS FOR THE COUNCIL MINUTES

- **Re paragraph II.F) of the arrangements for enhanced cooperation:**
  "F) Cooperation in the field of armaments, as appropriate"

  Council statement

  The Council notes that several Council Working Groups are taking forward work on related issues, notably the Council Working Group on Conventional Arms Exports (COARM), in particular regarding the strengthening of the EU's Code of Conduct on Arms Exports.

- **Re paragraphs II.G and II.H.2**

  Commission statement

  The Commission declares that in its cooperation with WEU, including exchange of information, it will fully comply with its role as defined by the Treaty on European Union.

- **Re Annex 3, point 4 and Annex 4, point 4 to the arrangements for enhanced cooperation**

  Statement by the Council and the Commission

  The delegation of the Presidency of the EU Council in WEU meetings will include representatives of the Secretary-General of the Council and representatives of the European Commission.

- **Statement by the Italian delegation**

  Whilst agreeing to the texts, the Italian delegation stressed that the arrangements had arisen in accordance with the logic of the Treaty of Amsterdam, a logic which was in the process of being superseded by further debate on security/European defence. This delegation therefore thought the arrangements were of a transitional nature.